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Attorneys for Ruth Ann Kehl

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

IN RE:

USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case No.: BK-S-06-10725-LBR

Chapter 11

**EX PARTE MOTION FOR  
 SUBSTITUTION OF PARTY**

**Date: N/A  
 Time: N/A**

Ruth Ann Kehl, as executor of the estate of Robert J. Kehl, a creditor in these proceedings, moves to substitute herself in this case in the place of her late husband, Robert J. Kehl, who died July 3, 2013. Fed. R. Bankr. P. 9014, inc'g Fed. R. Bankr. 7025, inc'g Fed. R. Civ. P. 25(a)(1). Mrs. Kehl was appointed as executor of Mr. Kehl's estate and is the devisee under his will. *In re Kehl*, Case No. 013311 ESPR044690 (Dist. Ct., Dubuque County, Iowa). The substitution is appropriate because his claim in this case is not extinguished, no party has filed a suggestion of death, and the substitution will not cause a delay in this case.

Although this motion is being served on all parties electronically receiving notice in this case, the relief is sought ex parte because there is no known controversy regarding the substitution and Rule 25(c) does not affirmatively require a motion. A proposed order is attached and uploaded.

DATED this 7<sup>th</sup> day of August, 2014

/s/ Louis M. Bubala, III  
 LOUIS M. BUBALA III, ESQ.  
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